REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the present amendment and the following discussion is respectfully requested.

Claims 1-16 are presently pending in this case. Claims 1 and 9 are amended by the present amendment. As amended Claims 1 and 9 are supported by the original disclosure, 1 no new matter is added.

In the outstanding Official Action, Claims 1-3, 9, 10, and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Abe et al. (U.S. Patent Application Publication No. 20040015713, hereinafter "Abe") in view of Yoshida et al. (U.S. Patent Application Publication No. 20020042777, hereinafter "Yoshida"); Claims 4, 6, 11, and 14 were rejected under 35 U.S.C. §103(a) as unpatentable over Abe in view of Yoshida and further in view of Gonno et al. (U.S. Patent Application Publication No. 20010047419, hereinafter "Gonno"); Claim 5 was rejected under 35 U.S.C. §103(a) as unpatentable over Abe in view of Yoshida and further in view of Abe et al. (U.S. Patent Application Publication No. 20030031319, hereinafter "Abe '319"); Claims 7, 8, 15, and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over Abe in view of Yoshida and further in view of Shimamoto et al. (U.S. Patent Application Publication Publication No. 20020126999, hereinafter "Shimamoto"); and Claim 13 was rejected under 35 U.S.C. §103(a) as unpatentable over Abe in view of Yoshida and further in view of Takashima et al. (U.S. Patent Application Publication No. 20040141083, hereinafter "Takashima").

With regard to the rejection of Claim 1 as unpatentable over <u>Abe</u> in view of <u>Yoshida</u>, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

¹See, e.g., the specification at page

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> reservation means for reserving selected content data for recording on a selected second recording medium with reservation data; and

controlling means for receiving the recording medium identifier of the second recording medium loaded in the recording and reproducing apparatus, data of the second recording medium being reproduced by the recording and reproducing apparatus, and for controlling content data transferred to the recording and reproducing apparatus so that the content data recorded in the first recording medium is recorded to the second recording medium in accordance with the reservation data.

The outstanding Office Action cited <u>Abe</u> as describing "controlling means" as recited in original Claim 1.² However, it is respectfully submitted that <u>Abe</u> does not teach or suggest any means for reserving selected content data for recording on a selected second recording medium. Thus, it is respectfully submitted that <u>Abe</u> does not tech or suggest "reservation means for reserving selected content data for recording on a selected second recording medium with reservation data" or "controlling means ... for controlling content data transferred to the recording and reproducing apparatus so that the content data recorded in the first recording medium is recorded to the second recording medium in accordance with the reservation data" as recited in amended Claim 1. Further, it is respectfully submitted that <u>Yoshida</u> does not teach or suggest these features either. In fact, <u>Yoshida</u> has not been cited as describing either of these features. Consequently, amended Claim 1 (and Claims 2-8 dependent therefrom) is patentable over <u>Abe</u> in view of <u>Yoshida</u>.

Amended Claim 9 recites in part:

reserving selected content data for recording on a selected second recording medium with reservation data, said reservation data included in the transfer managing information; and

controlling content data transferred to a recording and reproducing apparatus so that the content data recorded in the first recording medium is recorded to the second recording medium in accordance with the recording medium identifier of

²See the outstanding Office Action at page 3, lines 16-22.

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the second recording medium and the transfer management information that are received.

As noted above, neither <u>Abe</u> nor <u>Yoshida</u> teach or suggest reserving selected content data for recording on a selected second recording medium with reservation data. Thus, neither <u>Abe</u> nor <u>Yoshida</u> teach or suggest "reserving selected content data" or "controlling content data" as defined in amended Claim 9. Accordingly, Claim 9 (and all claims dependent therefrom) is patentable over <u>Abe</u> in view of <u>Yoshida</u>.

With regard to the rejection of Claims 4, 6, 11, and 14 as unpatentable over <u>Abe</u> in view of <u>Yoshida</u> and further in view of <u>Gonno</u>, it is noted that Claims 4, 6, 11, and 14 are dependent from Claims 1 and 9, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that <u>Gonno</u> does not cure any of the above-noted deficiencies of <u>Abe</u> and <u>Yoshida</u>. Accordingly, it is respectfully submitted that Claims 4, 6, 11, and 14 are patentable over <u>Abe</u> in view of <u>Yoshida</u> and further in view of Gonno.

With regard to the rejection of Claim 5 as unpatentable over <u>Abe</u> in view of <u>Yoshida</u> and further in view of <u>Abe '319</u>, it is noted that Claims 5 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that <u>Abe '319</u> does not cure any of the above-noted deficiencies of <u>Abe</u> and <u>Yoshida</u>. Accordingly, it is respectfully submitted that Claim 5 is patentable over <u>Abe</u> in view of Yoshida and further in view of <u>Abe '319</u>.

With regard to the rejection of Claims 7, 8, 15, and 16 as unpatentable over <u>Abe</u> in view of <u>Yoshida</u> and further in view of <u>Shimamoto</u>, it is noted that Claims 7, 8, 15, and 16 are dependent from Claims 1 and 9, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that <u>Shimamoto</u> does not cure any of the above-noted deficiencies of <u>Abe</u> and <u>Yoshida</u>. Accordingly, it is respectfully

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submitted that Claims 7, 8, 15, and 16 are patentable over <u>Abe</u> in view of <u>Yoshida</u> and further in view of <u>Shimamoto</u>.

With regard to the rejection of Claim 13 as unpatentable over <u>Abe</u> in view of <u>Yoshida</u> and further in view of <u>Takashima</u>, it is noted that Claim 13 is dependent from Claim 9, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that <u>Takashima</u> does not cure any of the above-noted deficiencies of <u>Abe</u> and <u>Yoshida</u>. Accordingly, it is respectfully submitted that Claim 13 is patentable over <u>Abe</u> in view of <u>Yoshida</u> and further in view of <u>Takashima</u>.

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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